

SPECIAL MEETING
October 24, 1994

The Special Meeting of the Annapolis City Council was held on October 24, 1994 in the Council Chamber. The meeting commenced at 7:20 p.m.

Present : Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer

Staff Present: City Attorney Goetzke, Planning and Zoning Director Fogarty

Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-508 (a)(7), this statement is included in these minutes:

A closed session of the City Council was held at 6:32 p.m., Monday October 24, 1994, in the City Council Chambers.

Members Present: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer, Johnathan Hodgson, Esq., City Attorney Goetzke, City Administrator Mallinoff, Deputy City Clerk Heinbuch.

The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a)(1)(7). The purpose of the meeting was to consult with counsel to obtain legal advice on a legal matter. The session was closed by unanimous consent. No action was taken.

The order of the agenda was interrupted to allow for a Business item.

Business and Miscellaneous

Yarger Study

Alderman Snowden moved to reconsider the Yarger Study. Seconded. CARRIED on voice vote.

Alderman Snowden moved that the :

- (1) issue of the 40 hour work week be submitted to the Civil Service Board for study and consideration as required by the City Code; and
- (2) Yarger recommendations, as revised by the Finance Committee minutes of August 12, 1994 and September 1, 1994, be adopted for all non-union positions for implementation beginning July 1, 1995 and for union positions upon consummation of a collective bargaining agreement (including wage-openers) for the appropriate fiscal year(s). Seconded. A ROLL CALL vote was taken:

Yeas: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff

Nays: Alderman Moyer

CARRIED: 8-1

The regular order of the agenda was resumed.

Alderman Snowden left at 7:30 p.m.

PUBLIC HEARINGS

1. Application of Harry Browne's Inc., for a conditional use to expand an existing restaurant (Harry Browne's) located at 66 State Circle.

Planning and Zoning Director Fogarty presented a background report on the application.

Planning and Zoning Commission Chair Scott presented on the Commissions findings.

Mayor Hopkins accepted into the record a Memorandum from Eileen P. Fogarty to the Planning Commission dated 9/16/94 with a revised page 2, site plans dated June 16, 1994, and a Memorandum with attachments to the City Council from the Planning Commission dated 10/6/94.

James Romo, 329 Locust Avenue, representing Harry Browne's, Inc., Sager Williams, Land Planner, and Jay Schwartz, 47 State Circle, were present and answered questions addressed by the Aldermen.

Speaking in favor of the application:

1. John Prehn, 220 King George Street, Annapolis
2. Brian Miller, 114 Market Street, Annapolis
3. Ronald Szpatura, 114 Chesapeake Avenue, Eastport

Speaking in opposition to the application:

1. Kathleen Knower, 201 Prince George Street, Annapolis

No one else from the general public spoke in favor of or in opposition to the application.

Mayor Hopkins declared the public hearing closed.

Mayor Hopkins announced there would be a seven day comment period and a seven day reply period for this application with action to be taken at the next Regular City Council meeting.

Alderman DeGraff left at 8:45 p.m.

2. Application of McDonald's Corporation to establish an alteration or modification of the conditional use for the existing McDonald's Restaurant located at 1941 West Street.

Planning and Zoning Director Fogarty presented a background report on the application.

Planning and Zoning Commission Chair Scott presented on the Commissions findings.

Mayor Hopkins accepted into the record a Memorandum from Eileen P. Fogarty to the Planning Commission dated 9/16/94 with attachments and a Memorandum to the City Council from the Planning Commission dated 10/6/94.

Steven R. Freeman, Esq., Sun Life Bldg., 20 South Charles Street, Baltimore, MD 21201, David Nice, 8850 Stanford Blvd., Columbia, MD, and Harry Schuman, 20 Ridgely Avenue, Annapolis, were present and answered questions addressed by the Aldermen.

Spoke regarding the application:

1. Lawrence L. Harris, 1999 Forest Drive, Annapolis
2. Ron Council, 125 West Street, Annapolis

Speaking in opposition to the application:

1. Harry Dobson, Lee Street, Annapolis

No one else from the general public spoke in favor of or in opposition to the application.

Mayor Hopkins declared the public hearing closed.

Mayor Hopkins announced there would be a seven day comment period and a seven day reply period for this application with action to be taken at the next Regular City Council meeting.

3. **O-30-94** For the purpose of clarifying the circumstances under which a use permit may be issued; and all matters relating to said use permits.

Planning and Zoning Director Fogarty presented a background report on O-30-94.

Planning and Zoning Commission Chair Scott made a presentation on the Commissions findings.

Mayor Hopkins accepted into the record a Memorandum from Eileen P. Fogarty to the Planning Commission dated 7/15/94, and a Memorandum to the City Council from the Planning Commission dated 9/22/94 .

Speaking in favor of O-30-94

1. Brian Miller, 114 Market Street, Annapolis

No one else from the general public spoke in favor of or in opposition to O-30-94.

Mayor Hopkins declared the public hearing closed with action to be taken at the November 14, 1994 meeting.

4. **O-40-94** For the purpose of establishing a zoning classification of I1, Light Industrial for the Hudson Street property and existing Capital Gazette Newspaper facility and BCE for the 1.7 acres adjoining existing BCE zoned property, for the property generally located between Gibraltar Avenue and Hudson Street and partially addressed at 2000 Capital Drive, contiguous to the existing boundary of the City of Annapolis, known as West Capital and West Hudson Property Annexation; and all matters relating to said zoning map amendment.

Planning and Zoning Director Fogarty presented a background report on O-40-94.

Planning and Zoning Commission Chair Scott presented on the Commissions findings.

Mayor Hopkins accepted into the record a Memorandum to the City Council from the Planning Commission dated 9/22/94.

No one from the general public spoke in favor of or in opposition to O-40-94.

Mayor Hopkins declared the public hearing closed with action to be taken at the November 14, 1994 meeting.

Upon motion duly made, seconded and adopted, the meeting adjourned at 10:15 p.m.

Deborah Heinbuch, CMC
Deputy City Clerk